Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

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PAGE 01 MEXICO 03654 022257Z
ACTION SCS-06

INFO OCT-01 ARA-14 ISO-00 H-02 L-03 /026 W
----------094757 030746Z /21
R 022246Z MAR 78
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 8700

UNCLAS MEXICO 03654

E. O. 11652: N/A
TAGS: CPRS, MX
SUBJECT: INVASION OF PROPERTY OWNED BY SYLVIA SENTER

REF: LETTER FROM SENATOR STAFFORD DATED JANUARY 25, 1978.

H PASS THE HONORABLE ROBERT T. STAFFORD, UNITED STATES SENATE, WASHINGTON, D. C. 20520 FROM HERBERT B. THOMPSON, CHARGE D'AFFAIRES AD INTERIM.

IN AMBASSADOR LUCEY'S ABSENCE FROM MEXICO, I AM REPLYING TO YOUR LETTER OF JANUARY 25, CONCERNING THE INVASION BY ARMED PEASANTS OF A PIECE OF PROPERTY AT LA UNION, GUERRERO, MEXICO, BELONGING TO YOUR CONSTITUENT MS. SYLVIA SENTER.

BECAUSE NONRESIDENT FOREIGNERS MAY NOT LAWFULLY OWN REAL PROPERTY IN MEXICO, MS. SENTER IS NOT, STRICTLY SPEAKING, THE OWNER OF THE PROPERTY, BUT THE BENEFICIARY OF A TRUST ADMINISTERED BY A MEXICAN BANK IN ACAPULCO. DURING THE TERM OF THE TRUST, USUALLY THIRTY YEARS, MS. SENTER MAY USE THE PROPERTY AS THOUGH IT WERE HER OWN, EXCEPT THAT SHE MAY NOT SELL IT EXCEPT TO A CITIZEN OF MEXICO.

A CONSULAR OFFICER WHO WILL BE AT ACAPULCO THIS WEEK WILL CALL AT THE BANCO MEXICANO DEL SUR, WHICH ADMINISTERS THE
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PAGE 02 MEXICO 03654 022257Z

TRUST, TO DETERMINE ITS PDSITION IN THE MATTER. AS SOON AS OUR RESOURCES THEREAFTER PERMIT, CONSULAR OFFICERS WILL BE SENT TO CHILPANCINGO, TO FOLLOW UP PERSONALLY THE EMBASSY'S PREVIOUS REQUEST FOR INFORMATION FROM THE ATTORNEY GENERAL OF THE STATE OF GUERRERO AND TO LA UNION, TO INSPECT THE PROPERTY. I WILL, OF COURSE, PROVIDE YOU WITH REPORTS ON THE RESULTS OF THESE VISITS.

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IN THE MEANTIME, HOWEVER, MS. SENTER MIGHT BE WELL ADVISED TO SELECT AN ATTORNEY TO REPRESENT HER. WHETHER IT DEVELOPS THAT THE LAND HAS BEEN LAWFULLY EXPROPRIATED OR INVADED BY PERSONS WITH NO LEGAL RIGHT TO IT, IT IS PROBABLE THAT SHE WILL REQUIRE LEGAL ASSISTANCE IN ENFORCING HER OWN RIGHTS. AS WAS EXPLAINED IN VICE CONSUL FERGUSON'S LETTER TO MS. SENTER, STATE DEPARTMENT REGULATIONS PROHIBIT FOREIGN SERVICE OFFICERS FROM ACTING AS LEGAL AGENTS OR REPRESENTATIVES. MOREOVER, THE UNITED STATES GOVERNMENT MAY NOT ESPOUSE A CLAIM BY MS. SENTER AGAINST THE GOVERNMENT OF MEXICO, IF SUCH A CLAIM SHOULD HAVE TO BE MADE, UNLESS IT CAN BE SHOWN THAT SHE HAS ALREADY EXHAUSTED ALL LEGAL RECOURSE LOCALLY AVAILABLE TO HER AND STILL NOT OBTAINED JUSTICE.

YOU MAY BE SURE THAT FURTHER INFORMATION IN THIS MATTER WILL BE FORTHCOMING JUST AS SOON AS IT CAN BE SECURED.
THOMPSON

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
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Draft Date: 02 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3142127
Secure: OPEN
Status: NATIVE
Subject: INVASION OF PROPERTY OWNED BY SYLVIA SENTER
TAGS: CPRS, MX, US, (SENTER, SYLVIA)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/4ddb3dba-c288-dd11-92da-001cc4696bcc
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20 Mar 2014
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